

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TONYA OWENS, *individually and on
behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01480-RFB-MDC

EMILY KIRWAN, *individually and on
behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01481-RFB-DJA

MICHELLE RIGHETTI *on behalf of
herself and all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-02064-APG-DJA

DAVID ZUSSMAN, *individually and on behalf of
all others similarly situated*,

Plaintiff,

v.

VICI PROPERTIES L.P., a Delaware limited
partnership; **VICI PROPERTIES 2 L.P.**, a
Delaware limited partnership; **MGM RESORTS
INTERNATIONAL**, a Delaware corporation; and
**MGM GROWTH PROPERTOES
OPERATING PARTNERSHIP L.P.** a Delaware
limited liability company

Defendants.

CASE NO. 2:23-cv-01537-CDS-BNW

DAVID LACKEY, *individually and on behalf of
all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01549-RFB-NJK

MICHAEL PIRCIO, *individually and on behalf
of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01550-CDS-NJK

DAVID TEREZO, *individually and on behalf of
all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01577-RFB-MDC

RONALD G. RUNDELL, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01698-CDS-DJA

CHARLES BEZAK, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01719-RFB-BNW

PAUL ZARI, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01777-CDS-BNW

MICHAEL MANSON, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01826-CDS-EJY

LAURA WILLIS ALBRIGO and ANITA JOHNSON, *individually and on behalf of all others similarly situated*,

Plaintiffs,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:23-cv-01981-RFB-EJY

KYLE SLOAN, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

VICI PROPERTIES INC. and MGM RESORTS INTERNATIONAL,

Defendants.

CASE NO. 2:23-cv-02042-ART-BNW

EDGAR MEJIA and DUJUN JOHNSON, *individually and on behalf of all others similarly situated*,

Plaintiffs,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

CASE NO. 2:24-cv-00081-APG-DJA

1 Federal Rule of Civil Procedure 42(a) governs the consolidation of cases. The rule provides
 2 that “[i]f actions before the court involve a common question of law or fact, the court may . . .
 3 consolidate the actions.” Fed. R. Civ. P. 42(a). “The district courts have broad discretion under
 4 this rule to consolidate cases pending in the same district.” Investors Rsch. Co. v. U.S. Dist. Ct.
 5 for Cent. Dist. of Cal., 877 F.2d 777, 777 (9th Cir. 1989). Additionally, as under Rule 42(a), this
 6 district’s local rules allow the court to make a determination to consolidate actions *sua sponte*. LR
 7 42-1(b). In determining whether to consolidate cases, the court should “weigh the interest of
 8 judicial convenience against the potential for delay, confusion[,] and prejudice.” Zhu v. UCBH
 9 Holdings, Inc., 682 F. Supp. 2d 1049, 1052 (N.D. Cal. 2010); see also Huene v. United States, 743
 10 F.2d 703, 704 (9th Cir. 1984).

11 These related actions allege nearly identical claims against Defendants, arising from
 12 MGM’s alleged failures to adequately safeguard the personally identifiable information (“PII”) of
 13 its customers, and the cyberattack and data breach to MGM systems in September 2023 in which
 14 the PII of all Plaintiffs and proposed Class Members was allegedly disclosed and compromised.
 15 Because the circumstances and claims involve common questions of law and fact, the undersigned
 16 judges assigned to the cases captioned above have consulted and find that consolidation of the
 17 actions is appropriate under Federal Rule of Civil Procedure 42(a)(2) and Local Rule 42-1(b).

18
 19 **IT IS THEREFORE ORDERED** that the following cases shall be consolidated:

- 20 (1) Owens v. MGM Resorts Int’l, No. 2:23-cv-01480-RFB-MDC
- 21 (2) Kirwan v. MGM Resorts Int’l, No. 2:23-cv-01481-RFB-DJA
- 22 (3) Zussman v. VICI Properties L.P., et al., No. 2:23-cv-01537-CDS-BNW
- 23 (4) Lackey v. MGM Resorts Int’l, No. 2:23-cv-01549-RFB-NJK
- 24 (5) Pircio v. MGM Resorts Int’l, No. 2:23-cv-01550-CDS-NJK
- 25 (6) Terezo v. MGM Resorts Int’l, No. 2:23-cv-01577-RFB-MDC
- 26 (7) Rundell v. MGM Resorts Int’l, No. 2:23-cv-01698-CDS-DJA
- 27 (8) Bezak v. MGM Resorts Int’l, No. 2:23-cv-01719-RFB-BNW
- 28 (9) Albrigo v. MGM Resorts Int’l, No. 2:23-cv-01981-RFB-EJY

- (10) Zari v. MGM Resorts Int'l, No. 2:23-cv-01777-CDS-BNW
(11) Manson v. MGM Resorts Int'l, No. 2:23-cv-01826-CDS-EJY
(12) Sloan v. Vici Properties, Inc., et al., No. 2:23-cv-02042-ART-BNW
(13) Mejia v. MGM Resorts Int'l, et al., No. 2:24-cv-00081-APG-DJA
(14) Righetti v. MGM Resorts Int'l, No. 2:23-cv-02064-APG-DJA

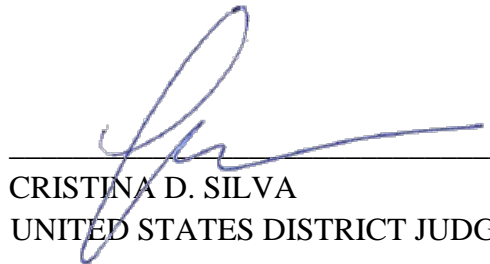
IT IS FURTHER ORDERED that Owens v. MGM Resorts Int'l, No. 2:23-cv-01480-RFB-MDC shall be the base/lead case and all future documents must bear said base/lead case number.

IT IS FURTHER ORDERED that all filings filed in the base/lead case be deemed to have also been filed in the consolidated cases.

DATED: March 22, 2024



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE



CRISTINA D. SILVA
UNITED STATES DISTRICT JUDGE



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE



ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE